

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

H.R. BUSHMAN & SON, CORP.,)
et al.,)
)
Plaintiffs,)
)
vs.) Case No. 4:06CV1638 CDP
)
SPUD PACKERS, INC., et al.,)
)
Defendants.)

PRELIMINARY INJUNCTION

For the reasons stated in the accompanying Memorandum and Order,

IT IS HEREBY ORDERED:

1. Defendants Spud Packers, Inc. and Terry W. Humes, individually, and their respective agents, officers, assigns, and any of their banking institutions must not pay, withdraw, transfer, assign or sell any and all existing PACA trust assets or otherwise dispose of corporate or personal assets to any creditors, persons or entities until further Order for this Court or until Defendants pay Plaintiff the sum of \$182,778.50.

2. Pending further orders of this Court or until such time as Defendants pay H.R. Bushman & Son, Corp. the sum of \$182,788.50, no banking institution holding funds for Defendants Spud Packers and Humes shall pay, transfer or

permit assignment or withdrawal of any existing PACA trust assets held on behalf of Defendants. Further, pending further orders of this Court or until such time as Defendants pay plaintiffs the sum of \$182,788.50, no banking institution holding funds for Defendants Spud Packers and Humes shall pay, transfer or permit assignment or withdrawal of the corporate or personal assets of those Defendants without the express written approval of this Court first been obtained.

3. This Order will be binding upon the parties to this action, their officers, agents, servants, employees, banks, or attorneys and all other persons or entities who receive actual notice of this Order by personal service or otherwise. In this regard, the Defendants shall serve a copy of this Order on all financial institutions with which either Defendants Spud Packers or Humes does any business, may do any business with or who may be holding any assets for or on behalf of those Defendants.

4. Because Defendants already possess at least \$182,788.50 of PACA trust assets which are the Plaintiffs' property, Plaintiffs need not post a bond.



CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 5th day of December, 2006.